



ILLINOIS COMMERCE COMMISSION

May 2, 2002

Diane Ruff
-vs-
Peoples Gas Light and Coke Company

Complaint as to inaccurate billing and
improper billing practices for service at
6446 S. Maryland in Chicago, Illinois.

02-0280

Diane Ruff
6446 S. Maryland
Chicago, IL 60637

Timothy Huizenga
Atty. for Complainant
Legal Assistance Foundation of
Metropolitan Chicago
10 W. 35th St.
Chicago, IL 60616

Katherine A Donofrio
Senior Vice President
Peoples Gas Light and Coke Company
130 E. Randolph Dr., 22nd Fl.
Chicago IL 60601
k.donofrio@pecorp.com

Dear Sir/Madam:

Copies of the attached letters are being served on all parties of record to this proceeding pursuant to 83 Ill. Adm. Code 200.710.

Sincerely,

A handwritten signature in cursive script that reads "Donna M. Caton".

Donna M. Caton
Chief Clerk

cp
Administrative Law Judge Zaban



Southside Office

Legal Assistance Foundation of Metropolitan Chicago

10 West 35th Street • 4th Floor • Chicago, Illinois 60616-3717

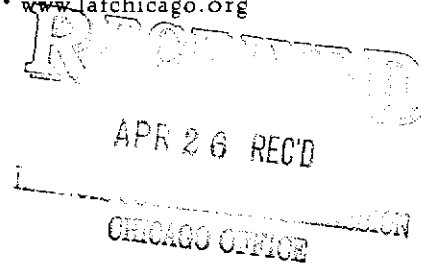
(312) 949-5390 • Fax: (312) 949-0481 • www.lafchicago.org

Writer's Direct Number:

(312) 261-6760

April 22, 2002

Terry S. Harvill
Illinois Commerce Commission
527 E. Capitol Ave.
Springfield, IL 62701



Re: **Complaint handling procedures**

Dear Commissioner Harvill,

I have enclosed a copy of a letter I am sending to the Chief Clerk with respect to questionable handling of my client's formal complaint to the Commission. The reason I write to you is that it appears that Commission staff have developed unauthorized methods and practices designed to deter customers from receiving fair and unbiased treatment of their informal complaints and from being able to even file formal complaints.

It is possible that the case described in my letter is an aberration, but I do not believe it is. The circumstances which impel me to write are that the staff I spoke with in the chief clerk's office and the consumer assistance section seemed unable to even discuss either the facts of my client's complaint or the procedures in their own offices. If my formal complaint was defective in some way, it is reasonable to expect that the Commission staff would be able to point out the defect. Instead, the clerk's office literally sat on the complaint for two months and could not even tell me the reason for that inaction.

I realize that the staff may be overwhelmed with informal complaints. Yet, if the Commission's response to the demand is to simply send form letters advising customers that their complaint is without merit, the consumer assistance section is worse than useless. The problem is only compounded if the staff devise ways to keep customers from pursuing formal complaints.

My predominant concern is the fact that the clerk's office sat on the complaint, did not respond to my letter of inquiry, and then directed Mr. Harvell to call me and attempt to convince me to drop the matter without actually giving me any real information. That sequence of events suggests a pattern of conduct designed to dissuade customers from getting a fair hearing on their complaints.

Thank you for your attention to this matter. Feel free to contact me directly at (312) 261-6760 for further information.

Very truly yours,

A handwritten signature in cursive script, appearing to read "Timothy Huizenga".

Timothy Huizenga
Attorney at Law



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10 West 35th Street • 4th Floor • Chicago, Illinois 60616-3717

(312) 949-5390 • Fax: (312) 949-0481 • www.lafchicago.org

Writer's Direct Number:
June 22, 2001

Consumer Assistance
Illinois Commerce Commission
160 N. LaSalle St., C-800
Chicago, IL 60601

Re: Informal complaint of Diane Ruff, 6446 S. Maryland, Chicago
60637 against Peoples Gas
Acct #: 4 5000 2229 3406

To whom it may concern,

This letter constitutes an informal complaint on behalf of my client Diane Ruff concerning inaccurate billing by Peoples Gas.

Ms. Ruff moved into the first floor apartment at 6446 S. Maryland Ave. in April, 2000 as a tenant. She obtained a gas account in her name, but did not receive gas bills for several months. After repeated calls to Peoples Gas, she finally a bill on 11/9/00 in the amount of \$592.83. The bill reflected that the meter readings upon which the bill is based were estimated.

Ms. Ruff also received estimated bills on 1/11/01 and 2/12/01 in the additional amounts of \$2,292.06 and \$2,123.10 respectively. She has not received any bills since 2/12/01.

It is obvious that the estimated usage is way out of whack. It is not conceivable that Ms. Ruff could have used over \$2,000 worth of gas per month in her apartment.

It may be that the estimated billing is based on the anticipated usage of all tenants in the three flat building, though Ms. Ruff has been informed by Peoples Gas that the other two tenants in the building do have their own heating accounts.

Ms. Ruff is moving next week to a new address where she will need gas service. Peoples has refused to issue a corrected bill, even though her estimated bills are clearly in error.

Ms. Ruff requests that Peoples be ordered to issue a corrected bill which reflects her actual usage during her tenancy at the subject address and be prohibited from refusing to provide gas service to her at her new address.

Feel free to contact me directly for further information.

Very truly yours,


Timothy Huizenga

Attorney at Law



Illinois Commerce Commission

August 22, 2001

Timothy Huizenga
Legal Assistance Foundation of Chic
10 West 35Th St. 4Th Floor
Chicago, IL 60616

RE: 2001-19499S
PEOPLES GAS LIGHT AND COKE COMPANY, THE

At my direction, the company furnished information about the problem you described. A review of both the information you provided and the company's report, does not indicate that the company has violated any rule, regulation, or filed tariff approved by this Commission.

Although it does not appear that we can be of further assistance in this matter, please contact me if you have questions regarding this correspondence. I can be reached by telephone at 800/524-0795 or 217/782-2024.

Regards,

A handwritten signature in cursive script, appearing to read "Dosean Harvell".

Dosean Harvell
Consumer Services Division



Southside Office

Legal Assistance Foundation of Metropolitan Chicago

10 West 35th Street • 4th Floor • Chicago, Illinois 60616-3717
(312) 949-5390 • Fax: (312) 949-0481 • www.lafchicago.org

Writer's Direct Number:

(312) 261-6760

March 28, 2002

The Chief Clerk
Illinois Commerce Commission
160 N. LaSalle St., C-800
Chicago, IL 60601

Re: Formal complaint of Diane Ruff, 6446 S. Maryland, Chicago
60637 against Peoples Gas

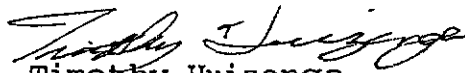
Dear Chief Clerk,

I write this letter to inquire about the status of the formal complaint I filed with you on February 6, 2002 on behalf of my client Diane Ruff.

I mailed a formal complaint on behalf of Ms. Ruff on February 4, 2002. On February 6, 2002, I received a telephone call from your office advising me that the complaint needed to be notarized. I then mailed a notarized complaint to your office on that same date. I have heard nothing from your office since that date.

Please advise me on the status of this formal complaint.
Feel free to contact me directly for further information.

Very truly yours,


Timothy Huizenga
Attorney at Law



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Writer's Direct Number:

(312) 261-6760

April 22, 2002

Donna M. Caton
The Chief Clerk
Illinois Commerce Commission
160 N. LaSalle St., C-800
Chicago, IL 60601

Re: Formal complaint of Diane Ruff, 6446 S. Maryland, Chicago
60637 against Peoples Gas

Dear Ms. Caton,

I have enclosed a formal complaint filed on behalf of my client, even though I filed a formal complaint with your office over two months ago.

I write this letter to protest your inaction on the earlier complaint and to inquire as to the basis for your inaction.

As you know, I mailed a formal complaint on behalf of Ms. Ruff on February 4, 2002. On February 6, 2002, I received a telephone call from your office advising me that the complaint needed to be notarized. I then mailed a notarized complaint to your office on that same date.

When I received nothing from your office to indicate that the complaint had been docketed and sent to the utility, I sent you a letter dated March 28, 2002, requesting information on the status of the complaint. Once again, I received no response.

My client then received a shutoff notice from Peoples Gas. I called Peoples Gas on April 3 and was advised that it had not received my formal complaint from the ICC. I then called your office on April 3 to inquire about the status of my complaint. I was told someone would call me back with a response.

The only response I received was a phone call from Dosean Harvell of the Consumer Assistance Section. I asked him why my formal complaint had been held in limbo at your office for two months and he did not answer my question. He advised me that he thought Peoples Gas had handled my client's account correctly but when I asked him the factual basis for his opinion he would not or could not provide it.

Your office then sent me a letter which disingenuously states that I requested a formal complaint form and other information. I did not in fact request the form because I had already filed a verified formal complaint which contained all the requisite information. I called your office specifically to inquire as to why my complaint was left in limbo for two months and still do not

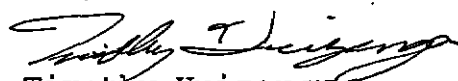
why my complaint was left in limbo for two months and still do not know the reason for that treatment.

I am truly mystified by the inaction of your office on my complaint. At first you acted correctly in advising me that I needed to have my signature notarized on the complaint. But when I corrected that error you simply stopped processing the complaint. Perhaps there is a reasonable explanation for your conduct, but I am left to wonder whether or not you have a policy of trying to prevent customers from filing formal complaints by letting them languish in limbo in your office while the Consumer Assistance staff tells the customers that their complaints have no merit.

I might add that Mr. Harvell's involvement in the matter also raises questions in my mind about his perception of the role he performs. I did speak with Mr. Harvell when I filed an informal complaint on Ms. Ruff's behalf. At that time he advised me that Peoples Gas had told him that the bills my client had received when she lived at 6446 S. Maryland were for service at a different address. When I asked him to provide me with that address, he simply told me to call Peoples Gas. Later, when I spoke with him on April 4, he told me that Peoples Gas had recalculated my client's bill and that he found the recalculation to be correct. When I asked him the amount of the new bill, he began speaking rather vaguely and would not even give me that information. From those two conversations, it seems that his main goal from the outset was to simply dissuade me and my client from proceeding with the complaint.

In conclusion, I request that you docket this complaint or inform me right away if you find any defect in the complaint. I also request that you advise me as to the reason that the complaint I filed on February 4 has been held in limbo without explanation. Thank you for your attention to this matter.

Very truly yours,


Timothy Huizenga
Attorney at Law

For Commission Use Only:

Case: _____

FORMAL COMPLAINT

Illinois Commerce Commission
527 E. Capitol Avenue
Springfield, Illinois 62701

Regarding a complaint by (Person making the complaint): Diane Ruff

Against (Utility name): Peoples Gas

As to (Reason for complaint) Inaccurate billing and improper billing practices for
Service at 6446 S. Maryland

in Chicago Illinois.

TO THE ILLINOIS COMMERCE COMMISSION, SPRINGFIELD, ILLINOIS:

My mailing address is Timothy Huizenga, Legal Assistance Foundation
10 W. 35th Street, 4th Fl Chicago, IL 60616

The service address that I am complaining about is 6446 S. Maryland Chicago, IL 60637

My home telephone is [312] 261-6760 FAX : (312) 949-0481

Between 8:30 A.M. and 5:00 P.M. weekdays, I can be reached at [312] 261-6760

(Full name of utility company) Peoples Gas (respondent) is a public utility and is subject
to the provisions of the Illinois Public Utilities Act.

In the space below, list the specific section of the law, Commission rule(s), or utility tariffs that you think is involved with your complaint.

See attached

Have you contacted the Consumer Services Division of the Illinois Commerce Commission about your complaint?

☒ Yes ☐ No

Has your complaint filed with that office been closed?

☒ Yes ☐ No

Please state your complaint briefly. Number each of the paragraphs. Please include time period and dollar amounts involved with your complaint. Use an extra sheet of paper if needed.

Please clearly state what you want the Commission to do in this case:

See attached

Date: 4/19/02
(Month, day, year)

Complainant's Signature Timothy Huizenga

If an attorney will represent you, please give the attorney's name, address, and telephone number.

Timothy Huizenga
Legal Assistance Fdn of Metropolitan Chicago
10 W. 35th Street, Chicago, IL 60616
Email address: thuiiz @ LAF Chicago.org

You need to file the original with the Commission. Also, provide one copy for each utility complained about (referred to as respondents).

VERIFICATION

A notary public must witness the completion of this part of the form.

I, Timothy Huizenga, first being duly sworn, say that I have read the above petition and know what it says.
The contents of this petition are true to the best of my knowledge.

(Signature) Timothy Huizenga

Subscribed and sworn/affirmed to before me on (month, day, year) April 22, 2002

Ruth Kilpatrick
Notary Public, Illinois



NOTE: Failure to answer all of the questions on this form may result in this form being returned without processing. If you have questions, please call the counselor in the Consumer Services Division that handled your informal complaint.

1

7. She received a third estimated bill on or about February 12, 2001 in the amount of \$2,123.10.

8. It is inconceivable that the estimated bills accurately reflect the actual usage in Ms. Ruff's unit during the relevant time periods.

9. Ms. Ruff requested that Peoples Gas perform an actual reading of her meter or adjust the estimated bills on her account due to the unreasonably high amounts billed, all to no avail.

10. Ms. Ruff filed an informal complaint with the ICC, which dismissed her complaint.

11. Subsequent to the dismissal, Ms. Ruff's attorney had a telephone conversation with the ICC employee who sent the dismissal letter about the complaint. The employee told Ms. Ruff's counsel that Peoples Gas had told him that the large bills for Ms. Ruff were due to service at a previous address, which was not known to him, and he suggested that Ms. Ruff's counsel contact Jeff Schaeffer at Peoples Gas.

12. Ms. Ruff's attorney left three phone messages for Mr. Schaeffer, none of which was ever returned.

13. Peoples Gas has violated 83 Ill. Adm. Code 280.80 by failing to make an actual meter reading for Ms. Ruff's account at the subject premises.

14. Peoples Gas has violated 83 Ill. Adm. Code 280.105 by failing to investigate Ms. Ruff's complaint that her bills for service at the subject premises were unreasonably high and for billing Ms. Ruff for amounts in excess of her actual usage.

15. Ms. Ruff has complied with the requirements of 83 Ill. Adm. Code 280.170 by filing an informal complaint with the ICC which contained the requisite information.

WHEREFORE, Ms. Ruff requests the following relief:

A. That Peoples Gas be ordered to investigate her account at the subject premises and determine if she has been billed for any tapped service;

B. That Peoples Gas be ordered to rebill her account at the subject premises and reduce her bill to an amount which equals her actual usage at the subject premises, less all payments and credits.


Attorney for Diane Ruff

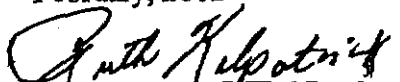
Timothy Huizenga
Legal Assistance Foundation
of Metropolitan Chicago
10 West 35th Street
Chicago, IL 60616
(312) 261-6760

VERIFICATION

The undersigned certifies that the allegations of fact set forth in this instrument are true and correct, except as to matters therein stated to be on information and belief and as to such matters the undersigned certifies as aforesaid that he verily believes the same to be true.


Timothy Huizenga

Subscribed and sworn to
before me this 6th day of
February, 2002


Notary Public

